EXECUTIVE ORDER NO. 135

DISASTER DECLARATION FOR DARE, CURRITUCK, HYDE AND TYRRELL COUNTIES

WHEREAS, the North Carolina Emergency Management Act, Chapter 166A of the North Carolina General Statutes, authorizes the issuance of a disaster declaration for an emergency area as defined in N.C.G.S. § 166A-19.3(7) and categorizing the disaster as a Type I, Type II or Type III disaster as defined in N.C.G.S. § 166A-19.21(b); and

WHEREAS, beginning on October 27, 2012, Dare County, North Carolina was impacted by the effects of Hurricane Sandy; and

WHEREAS, as a result of the approach and impacts of Hurricane Sandy, I declared a state of emergency pursuant to N.C.G.S. § 166A-19.20(b) for numerous eastern North Carolina counties, including Dare, Currituck, Hyde and Tyrrell; and

WHEREAS, as a result of the approach and impacts of Hurricane Sandy, Dare County proclaimed a local state of emergency on October 27, 2012; and

WHEREAS, a joint preliminary damage assessment was done by local, state and federal emergency management officials on November 2 and November 3, 2012; and

WHEREAS, I have determined that a Type I disaster, as defined in N.C.G.S. §166A-19.21(b)(1), exists in the State of North Carolina, specifically in Dare County and its contiguous counties; and

WHEREAS, pursuant to N.C.G.S. § 166A-19.21(b), the criteria for a Type I disaster are met if: (1) the Secretary of the Department of Public Safety has provided a preliminary damage assessment to the Governor and the General Assembly; (2) Dare County has declared a local state of emergency pursuant to N.C.G.S. § 166A-19.22; (3) the preliminary damage assessment has met or exceeded the criteria established for the Small Business Disaster Loan Program pursuant to 13 C.F.R. Part 123; and (4) a major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared; and

WHEREAS, pursuant to N.C.G.S. § 166A-19.41(b), if a Type I disaster is declared, the Governor may make State funds available for disaster assistance in the form of individual